



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/887,469 | 06/22/2001 | Christine D. Krempl | 015280-424100US |

CONFIRMATION NO. 6953

FORMALITIES LETTER



OC00000006373882

20350
 TOWNSEND AND TOWNSEND AND CREW
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

Date Mailed: 08/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

~~Customer Service Center~~

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of:

Group Art Unit: 1642

Christine D. Kreml, Peter L. Collins,
Brian R. Murphy, Ursula Buchholz,
Stephen S. Whitehead

Serial No.: 09/887,469

Customer No.:

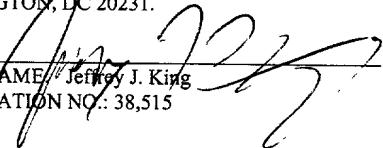
Filing Date: June 22, 2001

Confirmation No.: 6953

For: RESPIRATORY SYNCYTIAL VIRUS VACCINES EXPRESSING
PROTECTIVE ANTIGENS FROM PROMOTER-PROXIMAL GENES

DATE OF DEPOSIT: March 1, 2002
I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE
PREPAID ON THE DATE INDICATED ABOVE
AND IS ADDRESSED TO BOX MISSING PARTS,
ASSISTANT COMMISSIONER FOR PATENTS,
WASHINGTON, DC 20231.

TYPED NAME: Jeffrey J. King
REGISTRATION NO.: 38,515



BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated August 2, 2001, a response to which is due October 2, 2001, enclosed herewith for filing is:

Declarations and Powers of Attorney

A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. ET593399895US on June 22, 2001.

- A Combined Declaration and Power of Attorney, executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with to the above-identified application specification on @@, via by Express Mail No. @@. Such deletion/addition of inventors is specifically provided for in 37 CFR Sec. 1.48.
- A copy of the original Declaration and Power of Attorney, executed by the inventor(s) as filed in parent application serial no. _____.
- A copy of the Power of Attorney with revocation filed on _____.
- A Combined Power of Attorney with Revocation and Statement Under 3.73(b)
- An associate power of attorney executed by Jeffrey J. King who is/was listed on the original declaration/power of attorney.

Drawings

- 17 Sheets of Substitute drawings comprising Figures 1A, 1B, 2, 3A, 3B, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13A, 13B, 14, 15A, 15B, 15C in compliance with 37 C.F.R. 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- Paper copy of Sequence Listing
- Diskette containing Sequence Listing in computer readable form
- Amendment directing entry of sequence listing in specification
- Statement to Support Filing of Sequence listing

Claim for Small Entity Status

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

- an Independent Inventor
- a Small Business Concern
- a Nonprofit Organization

Miscellaneous Items

- A copy of the Notice to File Missing Parts.
- Request for Corrected Filing Receipt.
- Request for Refund Due to Small Entity Status
- Request for Refund Due to Fee Calculation Error

Fee Calculation and Extension of Time

- Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due October 2, 2001 to and through March 2, 2002, comprising an extension of the shortened period of five (5) months:

| | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|--------------|-----|------------------|--------|
| | RATE | Fee | RATE | Fee |
| MISSING PARTS SURCHARGE | \$65 | \$ | \$130 | \$130 |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | \$55 | \$ | \$110 | \$ |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | \$200 | \$ | \$400 | \$ |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME | \$460 | \$ | \$720 | \$ |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME | \$720 | \$ | \$1440 | \$ |
| <input checked="" type="checkbox"/> FIVE MONTH EXTENSION OF TIME | \$980 | \$ | \$1960 | \$1960 |
| TOTAL FEE DUE | | | | \$2090 |

Applicants have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

- A check in the total amount due of \$2,090 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$2,090.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.

Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

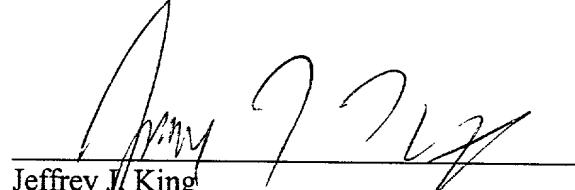
Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: March 1, 2002


Jeffrey J. King
Registration No. 38,515

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